



European Petroleum Industry Association

EUROPIA position on the Water Framework Directive

EUROPIA supports the high level objectives of the Water Framework Directive and the protection of inland surface waters, transitional waters, coastal waters and groundwater, preventing further deterioration and protecting and enhancing the status of aquatic ecosystems.

Article 16 of the Water Framework Directive requires the Commission to “*submit proposals of controls for the progressive reduction of discharges, emissions and losses of priority substances*”, and, for Priority Hazardous Substances, “*the cessation or phasing-out of discharges, emissions and losses*”.

EUROPIA is of the opinion that it is infeasible to implement a strict interpretation of “cessation” of emissions.

Crude oil naturally contains some components classified as Priority Hazardous Substances and while the refining industry can reduce the level of hazardous components in the effluent water to very low levels, their complete removal is not technically or economically feasible. A complete cessation of releases can therefore generally only be achieved by the end of the production. This is inconsistent with the proportionality principle used in Article 16 (6) of the Water Framework Directive which requires that “*the appropriate cost-effective and proportionate level and combination of product and process controls*” should be used. It also goes beyond the high level objective stated in Article 1 of the Framework Directive of “*achieving concentrations near background values for naturally occurring substances and close to zero for man-made synthetic substances*”.

EUROPIA is not supportive of managing this issue by exemptions in the Member State implementation process. Such exemptions will not provide a sustainable legal basis for Member States to grant permits, may lead to an uneven playing field and will not give the industry a predictable environment on which to base its long term plans.

EUROPIA therefore urges an explicit acknowledgement of the infeasibility of achieving zero emissions for naturally occurring substances, as stated in Decision No. 2455/2001/EC of the European Parliament and of the Council. This will bring the Water Framework Directive into alignment with the principles of the Integrated Pollution Prevention and Control Directive and allow a practical and sound implementation of the Water Framework Directive without reducing the protection of human health and the environment.

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